

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE  
MINUTE ORDER**

BEFORE: STEVEN I. LOCKE  
U.S. MAGISTRATE JUDGE

DATE: 5/5/2021  
TIME: 2:00 pm

CASE: CV 19-4666 (JMA) Hice v. Lemon

TYPE OF CONFERENCE: MOTION

FTR:

**APPEARANCES:**

For Plaintiff: Robert Barnes  
Stuart Bernstein and Adrienne Levy (outgoing counsel)

For Defendant: Caroline Polisi and Daniela Gordon

**THE FOLLOWING RULINGS WERE MADE:**

- ☐ Scheduling Order entered.
- ☐ The court has adopted and So Ordered the joint proposed scheduling order [ ] submitted by the parties.
- ☒ Other: Oral argument held. Plaintiff's motion to compel production of the case file from outgoing counsel, DE [68], is denied for the reasons set forth on the record. The retaining lien on the file, asserted in the amount of costs incurred by outgoing counsel, is valid, and must be resolved. See *Melnick v. Press*, 06-CV-6686, 2009 WL 2824586 \*11-12 (E.D.N.Y. Aug. 28, 2009) (Bianco, J.); *Security Credit Sys., Inc. v. Perfetto*, 242 A.D.2d 871, 871-72, 662 N.Y.S.2d 674, 674-75 (4th Dep't 1997).

**COURT APPEARANCES:**

The following conference(s) will be held via the Court's AT&T Conference line:

6/16/21 at 10:00 am : Status conference

**The parties should dial 1-877-336-1829 and enter access code 3002871# at the prompt**

SO ORDERED

/s/Steven I. Locke  
STEVEN I. LOCKE  
United States Magistrate Judge